

McCABE ADMITS HE "REVISSED" COURT'S OPINION ON FOOD

Document Changed To Suit
The Department Of Agri-
culture.

PROMULGATED WITH ALTERED WORDING

Bezoate Of Soda Ruling Given By
Solicitor As Reason For
His Methods.

By THEODORE TILLER.
That the Department of Agriculture had changed the opinion of a court because it held that benzoate of soda was harmful, whereas the department decreed it was not, was one of the startling admissions made today by Solicitor George P. McCabe, when he resumed his testimony before the House committee investigating the Dr. Wiley controversy.

The department promulgates all decisions of the courts in pure food prosecutions, but the District court of the eastern judicial district of Missouri, will hardly recognize judgment No. 742 issued by the department, as being that handed down by the tribunal.

Solicitor McCabe admitted that the judgment was "revised in my office," before it was issued as a public document. The court, following a plea of guilty by the defendants, fined the American Beverage Company for violation of the pure food law. One item, to which a plea of guilty was issued, declared that a substance made by the company contained "cocaine, benzoic acid, and coal tar dye."

After It Was Revised.
After Solicitor McCabe's office had tampered with the decision, it went to the public that the fine was imposed because the preparation contained:

"Cocaine, caffeine, and a harmful coal tar dye."
"Why was the change made in your office?" Why did you not follow the language of the court's information in promulgating the decision of the court?" demanded Attorney Henry E. Davis, representing Dr. Wiley.

"Because the department had never alleged that benzoate of soda was harmful," it held the opposite," said McCabe.

A representative of the Government Printing Office, who presented with proof of the opinion in its original and in its altered form, Solicitor McCabe frankly assumed responsibility for eliminating the words, "benzoate of soda," and substituting in their place, "caffeine." He had also caused to be inserted the word "harmful" before "coal tar dye," and the Solicitor.

New Case Demonstrated.
Second in importance to additional proof of the ends to which the department will go to uphold the Benzoate board at all costs, and to throw down the benzoate of soda decision of Dr. Wiley or the courts, was the light gained on the charges against Dr. Wiley in the Rusby case.

Under a cross-examination McCabe acknowledged that he had authorized the Bureau of Chemistry to pay William H. Harris, an expert, \$50 a day for court work, but McCabe and the board of personnel held that Dr. Wiley should be dismissed because, following that precedent, Dr. Wiley proposed to engage Dr. H. R. Harris at a rate in excess of the stipulated per diem.

Solicitor McCabe said he didn't think the cases were exactly analogous.
"The Bureau of Chemistry told me," he explained in justification of his conflicting actions, "that Mr. Harris was the only coffee expert obtainable. He would not do court work for less than \$50 a day, so I told the bureau I would approve his account for two days' work at \$50 per day."

"This was an extreme case. When Dr. Rusby's case came up I was satisfied that he merely wanted to increase his annual compensation—he had been drawing \$1,000 or \$1,200 a year, so I gave an opinion saying that Dr. Wiley could not engage him at an excess per diem."

"Yes, and in that opinion you said it would set a bad precedent," interrupted Mr. Davis. "Harris had already been authorized a \$50 a day fee to Harris, another expert?"

"Yes," admitted McCabe, "but the Harris case was an extreme case and I did not go so far as to say that Dr. Wiley should be dismissed to appear before the House investigators."

"You assumed that the court record so as to make it conform to the department's idea about benzoate of soda and so as to conform to information sent the Attorney General, despite the language of the district attorney and the Missouri court?" asked Attorney Davis.

"No, I wouldn't say that I changed the court record," parried McCabe.
"You admit that you changed this judgment altering the language so as to make it conform to that you sent out from your office to the Department of Justice before the trial was begun?"

"Yes," admitted the witness.
"So the language in the district attorney's information, to which he secured a plea of guilty, was struck out by you?"

"Yes," again acknowledged Solicitor McCabe.
Comparing the proofs brought from the Government Printing Office of Mr. Riddle, the attorney for Dr. Wiley directed the committee's attention to the fact that the District Attorney had secured a plea of guilty and a penalty from the beverage company because one of its preparations was said to have contained "added poisonous and deleterious substances including cocaine, benzoic acid and coal tar dye."

Sloan Objects.
Representative Sloan, a Republican member of the committee, objected to getting again into the record of personnel's charges against Dr. Wiley. Mr. Sloan held that the committee had no cognizance of no charges and no controversy between Dr. Wiley and other officials of the department.

"The people want to know the whole truth about this matter," interrupted Representative Mary E. Follen. "It is not a time for technical questions and legal quibbling. We have a right to inquire into anything that concerns expenditures in the department, and this does." Mr. Sloan then withdrew his objection.

Mr. Davis attempted to show today that the Dr. Wiley matter was brought to the attention of the Secretary during Dr. Wiley's absence from the city, when Dr. Dunlap was acting as chief chemist. He drew from Solicitor McCabe the admission that Dr. Dunlap had talked to the Solicitor about the over-payment to Dr. Rusby some weeks before the charges were finally laid before the Secretary.

"Did you ever say anything to Dr. Wiley about this?" asked Davis.

"I don't remember. I think not," said McCabe.

"Did Dr. Dunlap tell Dr. Wiley that he was going to lay the matter before the Secretary?"

"I don't know."

GATES WANTED TO BE "ATHOME" AGAIN

Millionaire Hoped To See
Native Land Before
He Died.

SHOWED COURAGE IN FACE OF DEATH

Passed Away After One of Gamest
Fights For Life His Physi-
cians Ever Saw.

PARIS, Aug. 8.—Kept alive for weeks by the ardent wish to see America once more, John W. Gates, the American financier, died early today in the arms of his wife and son after one of the gamest fights against death that his physicians say they ever witnessed.

Long before he died, he breathed the desire to be "at home." He was conscious almost to the last moment and knew that the end was at hand, but faced it with the courage that had characterized his life.

Despite an iron constitution and the determination and will of his powerful mind to live, aided by all that medical science could do, it became apparent last night, when Gates had a serious relapse, that his struggle for six weeks had been in vain, and that death was but a matter of hours.

Besides Mrs. Gates and their son, Charles, the only persons present at the financier's bedside were Dr. Edward Gros, an American physician living in Paris, and Dr. R. Resner, an intimate friend of the Gates family from New York.

For four weeks, Gates literally hovered between life and death. Again and again it was believed that he could last but a few hours, but each time he rallied in a way that amazed his physicians and family and gave rise to hopes that he would win out.

Gates' physicians expressed their amazement today at what they declared to be the "greatest fight" ever made by any patient in their long practice.

One of Gates' friends explained that the secret of his tenacious struggle to live was due largely to a heart-

felt wish and hope expressed repeatedly to "see home" one more.

Gates came to Paris in June to be treated for an operation of the throat. An operation was performed and he was reported out of danger, in fact was sufficiently well to be taken out one day for an airing.

The following day he took to his bed again. Serious complications of kidney trouble developed and soon his heart began to weaken.

Gates was taken to New York for burial, leaving here on the steamer Kaiser Wilhelm der Grosse on August 16. Services will be held in an American church in Paris on Saturday.

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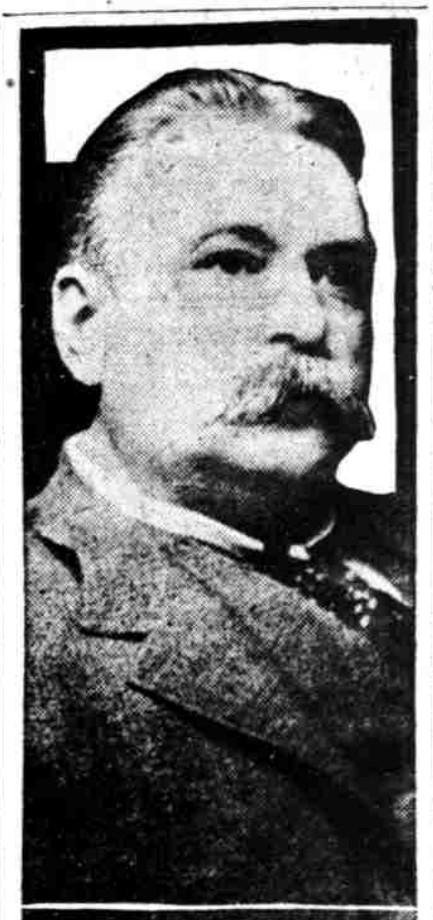
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SENATORS MOURN THE DEATH OF FRYE; ADJOURN FOR DAY

Capital Saddened By News
Of Demise Of Veteran
Statesman.

With many expressions of a sorrow that was deeply felt and genuine, the Senate today received official notice of the death of Senator William F. Frye of Maine, shortly after it convened.

After a brief session, adjournment for the day was taken out of respect to the memory of the dead Senator, who has so long been a prominent figure in the upper branch of Congress.

The announcement of the death and the mourning for adjournment was made by Senator Johnson of Maine, the Democratic colleague of Mr. Frye, who succeeded Senator Hale at the beginning of this Congress.

Senator Frye died at the home of his daughter, Mrs. Helen White, in Lewiston, Me., at 3:50 o'clock yesterday afternoon. He had long been ill, and early in the present session of Congress his illness became so serious he was obliged to resign from the position of President pro tempore of the Senate. He was in Lewiston through the summer. His illness became serious about a week ago, and it was then realized he probably would not recover. A general breakdown due to old age is ascribed as the cause of death.

The death of Senator Frye is politically important, as it means that another Democratic Senator will be sent from Maine. Governor Plaisted will name a successor until the legislature meets a year from the coming winter. Several candidates will come forward, including William M. Fennell, who was a candidate against Senator Johnson. E. B. Winslow, a member of the executive council, and James C. Hamlen, a member of the former member of Congress. Each of the three lives in Portland.

Senator Frye would have been eighty years old September 2. He was born at Lewiston, Me., and always lived there.

One of the remarkable facts of his life is that he might have been President of the United States had not his death intervened in 1896. He was elected Vice President. This was in 1896, at the time Garfield was named to head the ticket. He was away fishing and not in reach of the telegraph when political leaders at the Chicago convention decided on him for second place and elected him. Mrs. Frye declined it for him.

Garfield was shot, and Arthur, who was named, became President. Senator Frye always said his wife did just right in declining.

Senator Frye was always known about the sea as one of its most enthusiastic fishermen. Every spring the call of the wild stirred in him and he was accustomed, as soon as he could leave Washington, to take himself to one of the Maine lakes and live outdoors, following his favorite pastime.

He was much loved by his family and much by his long life and the vigor he showed until the last year of his life.

An extraordinarily large committee was named by the President to attend the funeral of Mr. Frye. It comprises Senators Johnson, Gorman, Cullum, Perkins, Wetmore, Culberson, Bailey, Clark, Warren, Foster, Simmons, Nelson, Clark, Dillingham, and Pennington.

In his prayer Chaplain Pierce feelingly referred to the death of Mr. Frye. He said that the death of Mr. Frye was a great loss to the country, and that his death was a great loss to the country.

"I extend to you and your father's family my heartfelt sympathy in your irretrievable loss. The great part that your father has played in the history of the country to whose welfare he devoted his wonderful ability with all the steadfastness of his sturdy patriotism for many decades, entitles him to the utmost gratitude of his fellow citizens. I hope that thought of his may mitigate your present sorrow."

"WILLIAM H. TAFT."

Plans Made To Capture
The Moose Convention

To assist Granville M. Hunt, the Chamber of Commerce's delegate to the Moose convention in Detroit this month, to secure the next convention of the order for Washington, Luke F. Ludlow, of Columbia Lodge, No. 128, Loyal Order of Moose, will go to Detroit. Both he and Mr. Hunt were named as delegates from the Washington lodge at its meeting last night. Three other members of the lodge were authorized to attend the convention, Past Dictators Van Ness, Schaefer, and Conditine. They will also assist the convention hunters. Representatives Eugene Kinkadee of New Jersey, and Curtis H. Gregg of Pennsylvania, were present and pledged their assistance in bringing the convention to Washington.

Thirty-eight new members were initiated under the direction of National Organizer Ira W. Cumming, of Joliet, Ill. At the meeting August 15 a class of 150 will be initiated by Supreme Dictator E. E. Turner, of Columbus, Ohio, and Supreme Organizer James J. Davis, of Pittsburgh. Senator John W. Kern will deliver the charge.

Gorman Leaves To
Honor Mayor Gaynor

Senator O'Gorman left for New York this morning to be present at exercises this afternoon in honor of Mayor Gaynor, who, the year ago today, was shot by a former employee of the municipality. The celebration today is to celebrate the mayor's recovery.

A silver loving cup is to be presented by a committee of one hundred citizens. Senator O'Gorman will make the presentation speech. The Senator will return tonight.

NEW AEROPLANE IS ADDED TO COLLEGE PARK AIR SQUADRON

Fourth Machine May Be
Given Trial Flights Late
This Afternoon.

The principal attraction at College Park today is the new Burgess-Wright biplane, which was put together this morning. It was received at College Park last night and was unloaded early this morning.

The new machine has been assigned to Lieutenants Kirtland and Milling, and trial flights in it probably will be made at 4 o'clock this afternoon. W. S. Burgess, inventor of the machine, is expected to arrive at the park some time this afternoon, and before any flights are made by Lieutenants Kirtland and Milling the machine will be inspected, and a short flight will be made by Mr. Burgess.

There is little, if any, difference between the Burgess-Wright machine and the Wright machine itself. The addition of the Burgess-Wright machine now gives the Government five aeroplanes, four of which are stationed at College Park. The other is still in Texas, where it was used by the army officers during the recent maneuvers.

Capt. Paul W. Beck and Lieutenants Arnold, Milling, and Kirtland made several flights during a very strong wind yesterday. Treacherous air currents, some of which are stationed at College Park, were the cause of the difficulty. Captain Beck went up 2,000 feet, circling the field eight times and covering a distance of about ten miles.

Lieutenant Arnold went up in the Wright machine. Circling the aviation field several times, he went two miles to the west, circled again, and headed back to the field, gliding 1,000 or more feet to a perfect landing at the park.

After flights by Captain Beck and Lieutenants Arnold, Lieutenants Kirtland and Milling went up. Lieutenant Kirtland circled the field several times and landed at the same place. Lieutenant Milling visited the surrounding country at a radius of a mile on each side of the Government grounds.

Major George O. Squiers, acting chief of the Signal Corps in the absence of General Allen, was a visitor at the field yesterday afternoon and congratulated Captain Beck, Captain Chandler, and Lieutenant Arnold on their flights to Fort Myer and return Monday. Accompanying Major Squiers were Gen. Samuel S. B. M. Young, Col. Charles McKay Salzman, and Col. John T. Knight.

Paul Peck, the Washington boy with the Rex-Smith people, added another laurel to his record by carrying up a passenger yesterday afternoon for a short trip. Robert A. Wells, a member of the Rex-Smith company, made the trip. They went around the field three times. Prior to taking up Mr. Wells, young Peck made a trip as far as Hyattsville and returned. When over the little town he dropped a note, which was a message of greeting from the sky to the people of the town.

Peck gave the message, and then he gave the signal for the crowd to cheer. They went around the field through the week between 4 and 7 o'clock. If weather conditions permit, and on Monday will leave on an extended tour through the New England States with his machine.

J. M. Watson Buried.

The funeral of J. M. Watson, employee of the Government Printing Office, who died from apoplexy while riding on a street car, was held at the residence, 2035 Benning road, this afternoon.

Will Swim Atlantic.

SPRINGFIELD, Ill., Aug. 9.—Dr. Julius W. M. Demmer, announces that he will swim across the Atlantic. He expects to make it in 20 days at twenty miles a day.

The Market of Economies
The Market of Cleanliness

Thursdays Specials

Pork Chops, Lean Butt, lb. 14c
Pork Roast, Lean Butt, lb. 14c
Pork Shoulder, Fresh, lb. 12c
Veal Breast (Home dressed), lb. 10c
Veal Chops, Shoulder, lb. 15c
Rib Roast, lb. 12c
Newport Rib Roast, lb. 16c
Hamburg Steak, lb. 10c
Lean Tender Steak, lb. 12c
Round Steak, lb. 15c
Sirloin Steak, lb. 18c
Porterhouse Steak, lb. 22c
Pot Roast Boneless, lb. 10c
Chuck Roast, lb. 11c
Lamb Hindquarters, lb. 12c
Leg of Lamb, lb. 12c
Loin Chops, lb. 16c
Shoulder Chops, lb. 12c

Vegetable and Fruit Specials
AT ALL STORES

Cucumbers, each 1c
Sweet Potatoes, 1/2 peck 25c
New Potatoes, 1/2 peck 25c
Sweet Corn, doz. 20c
Cantaloupes, each 6c
Cylmings each 1c
Tomatoes, 1/2 peck 15c
Large Florida Pineapples, 2 for 25c
New Onions, 1/2 peck 25c

Old Dutch Market
INC.

930 La. Ave. N. W.
8th & E Sts. S. E.
31st & M Sts. N. W.
7th & Que Sts. N. W.
1111 H St. N. E.
613 7th St. S. W.

Palais Royal

A. Lisner Close 5 P. M. G Street

A Thursday Bargain Day To Break All Records

If we use strong statements in our "ads"—it's because we have the goods and the prices and ordinary terms cannot do them justice. When we quote a bargain—its first claim must be quality; the added charm of style and appearance gives the purchaser both pleasure and satisfaction.

Batiste and Chambray Robes

\$20.00 Values in All Colors

Special Price
\$3.50

\$2.00 Batiste and Swiss Flouncings; 27 inches wide. Special 1.29
\$1.50 Swiss Flouncing; 27 inches wide. Special to 69c
\$1.00 Fancy Lace Veils; 1 1/4 yards long; lace borders. 29c
\$1.00 Black Chantilly and White Wash Veils; 1 1/4 yards long. Special 39c
\$4.00 Hood Veils and Auto Veils; all colors; 1 1/4 to 2 1/4 yards long. \$1.69
\$2.00 Heavy Embroidered Bands; that formerly sold at \$3.50 a yard; 3 to 4 inches wide; in solid shades. 39c

25c Filet Lace Bands; 3 to 5 inches wide. Special 8c
\$10.00 Batiste Robes; all colors. Special Thursday 1.98
\$1.50 Marquisette and Net Flouncings; 40 inches wide, with the new floral border. 39c
75c Val Lace—Inserting and edges to match—12 yards in a piece. Special 25c

THIS COUPON entitles bearer to one Straw Stoop Seat (worth 5 cents) if presented in our Upholstery Dept. on Fourth Floor Thursday, August 10, 1911. Accept one with the compliments of Palais Royal. None will be given children.

No Housekeeper Can Afford to Miss This Thursday Bargain Sale

Closing out sale of Hammocks: all of our \$2.00 and \$2.50 Hammocks offered for Thursday 1.25
All \$2.50 and \$4.00 Hammocks, made to wear and look good 2.50
All "Sherwoods" Metal Wire window screens—sizes up to 24x33 to be closed out at 25c
Short lengths of Floor Oilcloth for vestibules and bath rooms, per square yard. 12 1/2c
Window Screens—14x33 and 18x33 inches—Choice 10c

All of our Japanese Matting—that sold at \$10.00 per roll of 40 yards—jointless—cotton warp—carpet patterns—special 66.00 per roll
\$12.00 Seamless Palm Straw China Mattings; plain white check and block patterns; one full roll of 10 yards—12 drops in for 88.00
1/2 pairs of Cross Striped Macror Portieres; full length 15c
White Bobinette Silk Curtains, 1 1/2 yards long; lace edges 49c

\$3.50 Silk Umbrellas for \$1.88
26 and 28 inches—ladies' and gents' sizes—Black and Colors.
75c Gloves, 29c
16 button length; lisle quality and tan color only.
\$1 Gloves, 77c
White, black, and all colors; full fashion 16 button lengths.

Every Garment in Our Suit Dept.
Has Been Reduced for This Sale

The fact that we have sold literally thousands of these dresses makes us believe that none could equal our styles or our prices. At this time, when we are closing them out at less than half of what they are marked, it is to our customers' interest to come and see the wonderful values.

All \$10.00 Dresses Reduced to \$4.98
All Dresses Marked Up to \$40, Now \$10

Sale of Undergarments
One special lot of Cambric and Muslin Drawers, with cambric and lawn tucked ruffled open and closed styles. The best 25c value we ever offered, at 15c.

Our special tables of Underwear offer you a wonderful chance to buy some bargains at prices to suit every purse. The values are just double what we ask for them.

50c 69c \$1.00
\$1.48 \$1.98

Six Teaspoons, 44c
Six "Poppy" Teaspoons 44c
Six "Poppy" Dessert Spoons 35c
Six "Poppy" Tablespoons 55c
Six "Poppy" Dinner Forks 35c
Six "Poppy" Coffee Spoons 35c
Six "Poppy" Orange Spoons 35c
Six "Poppy" Oyster Forks 35c
Six "Poppy" Butter Spreaders 35c
Six "Poppy" Dinner Knives 35c

Needlework, Art Department
While away idle moments—and make things costing pennies worth many dollars. A few hints below:

75c Waist Patterns of Sheer Voile stamped in artistic designs for you to embroider 39c
75c Kimono Nightgowns stamped in new French and eyelet designs on fine quality French lawn—59c
25c Stamped Corset Covers stamped in designs to match gowns 16c

A fine assortment of Stamped Handbags—white and in shades, at 25c to 1.00
50c Five Row German Linen Drawnwork Scarfs. 18x54 inches. See window display 39c
39c and 50c Finished Pillow Slips in a large variety of pretty styles; just the thing for canoes and hammocks. Choice for 25c

The Palais Royal
A. Lisner G Street

It Pays to Come from Any Distance
WELLS & CO.
Pa. Ave. and 8th St. S. E.

PRETTY TEETH
Make Pretty Faces
Our Specialty Is Making Teeth Pretty—Keeping Them Pretty, Sound, and Healthy.

You will never fear the dental chair again after a visit to this office. Expert dentists only, and the most scientific methods.